

**REMARKS:**

In the outstanding Office Action, claims 1-31 were rejected. Claims 1, 5, 7, 9, 13, 17, 21-23 and 25-31 are amended. Thus, claims 1-31 are pending and under consideration. No new matter has been added. The rejections are traversed below.

**REJECTION UNDER 35 U.S.C. §112¶1:**

At item 2 of the Office Action, the Examiner rejected independent claims 1-12 and 17-31 are rejected under 35 U.S.C. §112¶1 and dependent claims 2-6, 8, 10-12, 14-16 and 18-20 for depending from rejected claims.

Independent claims 1, 7, 9, 13, 17, 21, 25, 26 and 28-31 are amended to comply with the requirements of §112¶1. Thus, dependent claims rejected based on their dependence on claims 1, 7, 9, 13, 17, 21 and 26 also comply with the requirements of §112¶1.

Accordingly, withdrawal of the rejection under §112¶1 is respectfully requested.

**REJECTION UNDER 35 U.S.C. §102(e):**

In the outstanding Office Action, claims 26-31 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,893,098 (Peters).

Peters links allowable or permissible answers to survey questions so that a survey author is able to prepare a survey document by pairing the already defined allowable answers to a question in the survey document (see, column 2, lines 56-61). That is, for each Peters question, there is a predefined answer(s) from which the user can select as a response, and thus, it is necessary to have correspondence between questions and replies since the replies should be prepared as the selection of answers concerning questions to respondent users. For some questions, for example, "Yes" and "No" type answers are inappropriate because the users are provided with possible or allowable answers from which the users may pick.

The present invention enables users to reply to a message by freely assigning a fixed form reply from among stored fixed form replies that are prepared in advance regardless of content of the message.

As recited in amended independent claims 26, 28-30, the present invention stores "plural fixed form replies... [having] reply contents independent of a message content" that are independently "reusable" (claim 29), and allows a recipient user to select from among "the plural fixed form replies".

Independent claims 29 and 31 as amended also recite, “freely assignable” fixed form replies that a user may select from as a reply to an electronic message. This is unlike Peters that requires the answers to correspond with the survey questions (see, column 6, lines 36-40) because it allows a user to assign a desired fixed form reply as a reply to a message without being constrained to a predefined answer(s).

Moreover, unlike the questions of Peters, the messages of the present invention relate to weather, social problems and so on, and a user states his opinions such as “disagree” or “agree” in responding to such messages. Hence, the replies of the present invention are different from answers of Peters. The Examiner asserted that the reply list in FIG. 5 of the present application is limited to use in answering the message in FIG. 5. However, the reply list is usable in responding to any messages.

For at least the above-mentioned reasons, claims depending from independent claims 26 and 28-30 are also patentably distinguishable over Peters.

Therefore, withdrawal of the rejection is respectfully requested.

**REJECTION UNDER 35 U.S.C. §103(a):**

In the outstanding Office Action, claims 1-4, 6-22, 24 and 25 were rejected under 35 U.S.C. §103(a) as being unpatentable over Peters and U.S. Patent No. 5,894,506 (Pinter), and claims 5 and 23 are rejected as being unpatentable over Peters and Pinter, and in further view of U.S. Patent No. 5,982,891 (Ginter).

Pinter transmits reply codes assigned to a message instead of the message itself to reduce the amount of data being transmitted. Pinter is directed to use of “canned message” that are retrievable using unique message codes respectively assigned to the canned messages (see, column 1, lines 50-67).

Further, the Examiner relies on Ginter as teaching selection of speech, sound and moving pictures as free form reply. However, Ginter is limited to enforcing a secure chain of handling and control of information content using electronically stored or disseminated information (see, abstract and FIG.2 and corresponding text).

Independent claims 1, 7, 9, 13 and 17 as amended recite, “accepting a selected fixed form reply out of the outputted plural fixed form replies as the reply to the message”.

Amended independent claims 21 and 25 recite that “plural fixed form replies” are stored

so that a user is enabled "to retrieve" or "to choose" a reply from the stored "plural fixed form replies" as a response to a message.

Further, for at least the above-mentioned reasons, claims depending from independent claims 21 and 25 are patentably distinguishable.

It is therefore requested that the Examiner withdraw the outstanding rejections.

**CONCLUSION:**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

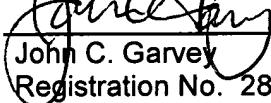
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 5-9-05

By:   
John C. Garvey  
Registration No. 28,607

1201 New York Avenue, NW, Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501